

REMARKS

The claims have been amended to improve the style of this application. Applicant thanks the Examiner for the careful reading of this application, for pointing out discrepancies, and for providing suggestions.

New independent claim 67 has been added to set forth many of the same features as original claim 34. Applicant has used different terminology for the structures set forth in claim 34, and its dependent claims, to try to have the claims be easier to read.

In particular claim 67 sets forth a plurality of article shafts. In the preferred embodiment of the drawings, these shafts are shown by reference 4, as in Fig. 10. These shafts are combined together to form a bay 3, as also shown in Fig. 10. The bays 3 are also shown in Fig. 9 and Figs. 6 and 7. Claim 67 also sets forth a cart. In the embodiment of the drawings, the cart is represented by reference 5. The cart has an article loader which holds a stack of articles in a substantially vertical position, and is shown in the embodiment of the drawings by reference 52. In a preferred embodiment, the article loader has two clamping plates 8 and 12 which hold the stack of articles together. In the specification, the article loader 52 is described by the name "stack-of-articles support".

Included with the article loader is an ejector which in the embodiment of Fig. 10, is shown at the bottom of the article loader 52. Figs. 3 and 5 - 7 show a more detailed view of the particle ejector.

The original claims have been rejected as being anticipated by Neukam '495.

Applicant notes that independent claims 34 and 67 set forth an ejector movable in a

transverse direction to the stack of articles and individually ejecting one of the articles from the stack into a selected one of the article shafts. Applicant has reviewed Neukam, and finds no teaching nor suggestion of an ejector, and especially not an ejector having structure to perform the functions set forth in claims 34 and 67.

Applicant is unsure which structure of Neukam the rejection equates with the article shafts, the cart, the article loader or the ejector of the independent claims. Applicant notes if the article shafts and cart of the independent claims are compared with elements 9 and 18 of Neukam respectively, Neukam does not teach nor suggest an article loader with an article ejector individually ejecting one article from a stack of articles into a selected shaft. Therefore elements 9 and 18 of Neukam do not have the same relationship with an ejector as the article shafts and cart of claim 67 have with an ejector.

If instead, elements 7, 23 and 25 of Neukam are compared with the article shafts, cart and loader respectively of the present invention, Neukam still fails to teach or suggest an article ejector. Applicant finds no indication in Neukam of element 25 having an article ejector, especially an ejector which is movable in a transverse direction to a stack of articles, and individually ejects one of the articles from the stack. Therefore elements 7, 23, and 25 of Neukam do not have the same relationship as the article shafts, cart, and article loader of the independent claims have with the article ejector. Applicant finds no other structure in Neukam which is any more similar to the structure of the present independent claims. Therefore it is Applicant's position that Neukam does not anticipate all of the features of the independent claims, and the independent claims therefore define over Neukam.

New claims 68 and 69 set forth further features of the ejector, in particular the positioning relationship of the ejector with respect to the article loader. Since Neukam does not teach nor suggest an ejector associated with an article loader, it is understandable that Neukam cannot describe the positional relationship between an ejector and an article loader of the claims. Claims 34, 68 and 69 therefore further define over Neukam.

Claim 68 also sets forth that the article shafts are sloped to cause the articles to slide from the upper end to the lower end of each shaft by gravity. Applicant notes that dispenser 7 of Neukam is not significantly sloped, and there is no teaching nor suggestion of article shafts in dispenser 7 which are sloped to cause articles to slide from an upper end to a lower end. Instead it appears that products 2 in Neukam are stacked on top of each other and there is to be no sliding of the products 2 in a plurality of article shafts. Therefore it is Applicant's position that it would not be obvious to modify Neukam to suggest the present invention.

Claim 37 has been rejected with regard to the recitation "said stack-of-articles support... has a doubly sloped angle sheet iron being unclear. Applicant notes that the doubly sloped angle sheet iron is positioned so that it is at an angle with respect to two different reference points or planes. In a preferred embodiment, the angle sheet iron is positioned at an angle with respect to a width of the article, and also with respect to a length or depth of the article. Such double angles or double slopes are sometimes known by the term "complex angle".

Claim 37 has also been rejected as being unclear with respect to how the stack is supported. Applicant notes that claim 37 sets forth that the stack of articles is supported on a bottom side either by an individual article ejector, or by a stack-of-articles holding up device.

In the embodiment of Fig. 10, a stack of articles is held in element 52, and the article ejector 53 is on the bottom of the stack and supports the stack. A more detailed drawing of this arrangement is shown in Fig. 6. Another embodiment for supporting the stack of articles, is to have a stack-of-articles holding up device, as shown in Fig. 7 by reference 54. The article ejector 53 is then on the top of the stack.

Claim 49 has been rejected as having no antecedent basis for "the longitudinal direction". Applicant notes that claim 49 depends from claim 48. Claim 48 has been amended to have proper antecedent basis for a longitudinal direction.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

At this time Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted
for Applicant,

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